

ECPD NEWS RELEASE

Date: 9/12/2006

Case #: 00-4371

Author ID: J. Matysik

On Tuesday, September 12, 2006, the City of Eau Claire received a decision from Federal Judge John Shabaz granting the City's request to dismiss the lawsuit filed by Evan Zimmerman against the City of Eau Claire Police Department.

The suit claimed that the Eau Claire Police Department denied Evan Zimmerman due process, falsely imprisoned him, and conspired to violate his constitutional rights.

In his decision, Judge Shabaz concluded that Evan Zimmerman's constitutional rights were not violated by the Eau Claire Police Department or its officers, and that Evan Zimmerman through his attorney, Russell Ainsworth, from the Chicago law firm of Loevy and Loevy, did not present any evidence of wrong doing. Judge Shabaz further stated that there was a reasonable basis for the existence of probable cause to arrest and imprison Evan Zimmerman for the murder of Kathy Thompson.

The most egregious allegation in the lawsuit was that officers planted animal hairs. Judge Shabaz concluded that there is absolutely no evidence to show that officers manufactured evidence.

From the beginning, the City vehemently denied these charges of misconduct. The personal attacks against the officers and the Department were irresponsible and unsubstantiated.

The Eau Claire Police Department diligently and professionally followed all leads in the case of the murder of Ms. Kathy Thompson and presented the evidence to the Eau Claire County District Attorney for evaluation and prosecution.

Chief of Police Jerry Matysik stated, "I am pleased that Judge Shabaz saw through the many false, misleading, inaccurate, and outrageous claims against these officers. This case was thoroughly investigated in a professional and ethical manner using appropriate police techniques."

Dale Peters, City of Eau Claire Human Resource Director stated, "This has been a difficult and expensive process for the Department and officers, but we are pleased that the legal process has upheld the good work of the Department and its officers."

Eau Claire Police Dept. - Headquarters
(715) 839-6171